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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,424	03/07/2002	Manuel Nedbal	550-320	7926

7590 12/17/2004

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EXAMINER
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NAHAR, QAMRUN

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/092,424	<b>Applicant(s)</b> NEDBAL, MANUEL	
	<b>Examiner</b> Qamrun Nahar	<b>Art Unit</b> 2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05/30/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-45 have been examined.

#### ***Specification***

2. The abstract of the disclosure is objected to because the text “[Figure 6]” on line 12 of page 29 must be deleted. Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because of the following informalities: “recognises” on line 1 of page 3 should be “recognizes”.

Appropriate correction is required.

4. The disclosure is objected to because of the following informalities: “initialisation” on line 13 of page 3 should be “initialization”.

Appropriate correction is required.

#### ***Claim Objections***

5. Claims 2, 14, 17, 29, 32 and 44 are objected to because of the following informalities: “initialisation” on line 5 of the claims should be “initialization”. Appropriate correction is required.

6. Claims 6, 21 and 36 are objected to because of the following informalities: “also” on line 2 of the claims should be “further”. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Presley (US 2003/0105838 A1).

**Per Claim 1:**

The Presley publication discloses:

- **a computer program product for controlling a computer to validate program configuration data** (pg. 2, 2<sup>nd</sup> column, par. 0029, lines 1-5 and pg. 3, 1<sup>st</sup> column, par. 0031, lines 1-12)
- **comparing code operable to compare an XML data representation of said program configuration data with data defining valid program configuration data** (pg. 3, 2<sup>nd</sup> column, par. 0037, lines 1-7)

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- wherein, if said XML data representation does match said data defining valid program configuration data, then triggering code is operable to trigger a valid program configuration response (pg. 3, 2<sup>nd</sup> column, par. 0037, lines 7-11).

**Per Claim 2:**

The Presley publication discloses:

- wherein said program configuration data is one of: operating system registry data specifying configuration parameters of an application program; program initialization data specifying configuration parameters of an application program; and XML data directly specifying configuration parameters of an application program (pg. 2, 1<sup>st</sup> column, par. 0013, lines 13-18).

**Per Claim 3:**

The Presley publication discloses:

- comprising mapping code operable to map between said program configuration data and an XML data representation of said program configuration data (pg. 2, 1<sup>st</sup> column, par. 0015, lines 1-16).

**Per Claim 4:**

The Presley publication discloses:

- wherein said data defining valid program configuration data is one of: XSD data defining a valid XML data representation; and DTD data defining a valid XML data representation (pg. 2, 1<sup>st</sup> column, par. 0015, lines 1-16).

**Per Claim 5:**

The Presley publication discloses:

- wherein said comparing code is part of an XML parser (pg. 4, 2<sup>nd</sup> column, par. 0057, lines 1-2).

**Per Claim 6:**

The Presley publication discloses:

- wherein said XML parser further provides validation of XML data other than said XML data representation of said program configuration data (pg. 4, 2<sup>nd</sup> column, par. 0057, lines 1-2).

**Per Claim 7:**

The Presley publication discloses:

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- wherein said mapping code is operable to map between said program configuration data and said XML data representation via a DOM data representation of said program configuration data (pg. 4, 2<sup>nd</sup> column, par. 0057, lines 1-2).

**Per Claim 8:**

The Presley publication discloses:

- comprising editing code operable to edit said DOM data representation of said program configuration to provide modified program configuration to be validated (pg. 5, 2<sup>nd</sup> column, par. 0070, lines 1-14).

**Per Claim 9:**

The Presley publication discloses:

- wherein said comparing code is executable by a program configuration managing computer and said valid program configuration response comprises sending validated program configuration data to a managed computer for use by said managed computer (pg. 3, 2<sup>nd</sup> column, par. 0036, lines 1-12).

**Per Claim 10:**

The Presley publication discloses:

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- wherein said validated program configuration data is sent from said program configuration managing computer to said managed computer as said XML data representation (pg. 3, 2<sup>nd</sup> column, par. 0036, lines 1-12).

**Per Claim 11:**

The Presley publication discloses:

- wherein said comparing code is executable by a managed computer which receives program configuration data from program configuration managing computer and said valid program configuration response comprises configuring a program on said managed computer using said validated program configuration data (pg. 2, 1<sup>st</sup> column, par. 0013, lines 18-21).

**Per Claim 12:**

The Presley publication discloses:

- wherein said validated program configuration data is sent from said program configuration managing computer to said managed computer as said XML data representation (pg. 2, 1<sup>st</sup> column, par. 0013, lines 18-21).

**Per Claim 13:**

The Presley publication discloses:



**- a computer program product for providing program configuration data for a computer**

(pg. 2, 2<sup>nd</sup> column, par. 0029, lines 1-5 and pg. 3, 1<sup>st</sup> column, par. 0031, lines 1-12)

**- receiving code operable to receive an XML data representation of said program**

**configuration data at said computer** (pg. 2, 1<sup>st</sup> column, par. 0013, lines 18-21)

**- mapping code operable to map between said XML data representation and said program**

**configuration data; and configuration code operable to at least one apply said program**

**configuration data to said computer and retrieve said program configuration data from**

**said computer** (pg. 2, 1<sup>st</sup> column, par. 0015, lines 1-16 and pg. 5, 1<sup>st</sup> column, par. 0066, lines 1-10).

**Per Claim 14:**

The Presley publication discloses:

**- wherein said program configuration data is one of: operating system registry data**

**specifying configuration parameters of an application program; and program initialization**

**data specifying configuration parameters of an application program** (pg. 2, 1<sup>st</sup> column, par.

0013, lines 13-18).

**Per Claim 15:**

The Presley publication discloses:

- wherein mapping between said XML data representation and said program configuration data is via a DOM data representation of said program configuration data (pg. 4, 2<sup>nd</sup> column, par. 0057, lines 1-2).

**Per Claims 16-30:**

These are method versions of the claimed computer program product discussed above (claims 1-15, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Presley.

**Per Claims 31-45:**

These are apparatus versions of the claimed computer program product discussed above (claims 1-15, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Presley.

***Conclusion***

9. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be

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reached on Mondays through Thursdays from 8:30 AM to 6:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (571) 272-3719. The fax phone number for the organization where this application or processing is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QN  
November 29, 2004

A handwritten signature in black ink, appearing to read 'TODD INGBERG', with a long, sweeping horizontal line extending to the right.

**TODD INGBERG**  
**PRIMARY EXAMINER**